

STANDING CHAPTER 13 TRUSTEE ALEJANDRO OLIVERAS RIVERA
REPORT OF ACTION TAKEN
MEETING OF CREDITORS

In re:

ANA T FIGUEROA ROMAN

Case No. 19-03969-BKT

Chapter 13

Attorney Name: IGNACIO GARCIA FRANCO*

I. Appearances Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent Joint Debtor <input type="checkbox"/> Present <input type="checkbox"/> Absent Attorney for Debtor <input checked="" type="checkbox"/> Present <input type="checkbox"/> Absent <input type="checkbox"/> Prose <input checked="" type="checkbox"/> Appearing: Melissa Torres Diaz Esq.	Date & Time: 8/20/2019 1:21:00PM <input checked="" type="checkbox"/> R <input type="checkbox"/> NR LV: tbd <input checked="" type="checkbox"/> This is debtor(s) 1 Bankruptcy filing. Creditors: <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <u>Banco Popular de P.R. by Mr. Miguel Rivera</u> </div>
II. Oath Administered <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
III. Plan Date: 07/12/2019 Base: \$14,040.00 Payments 1 made out of 1 due. Confirmation Hearing Date: 9/20/2019 2:30:00PM Evidence of Pmt shown:	
Attorney's fees as per R. 2016(b) <div style="margin-top: 10px;"> \$490.00 - \$490.00 = \$0.00 </div>	
IV. Status of Meeting <input checked="" type="checkbox"/> Closed <input type="checkbox"/> Not Held <input type="checkbox"/> Held/Continued <input type="checkbox"/> Held/Not Closed <input type="checkbox"/> Continued Continued Date: Comments:	
<input type="checkbox"/> M.T.D. to be filed by Trustee: Debtor(s) failed to: <input type="checkbox"/> Appear: <input type="checkbox"/> Commence payments <input type="checkbox"/> Keep payments current <input type="checkbox"/> does (do) not qualify as a debtor (§109): <input type="checkbox"/> MTD Already filed, see Docket: <input type="checkbox"/> Other:	

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(Cont.)

Trustee's Report on Confirmation

☐ FAVORABLE

☒ UNFAVORABLE

☐ Feasibility

☐ Insufficiently funded

☐ Unfair discrimination

☐ Fails disposable income

☐ Fails liquidation value test

☐ Insuarence quote

☐ No provision for secured creditor(s)

☐ Tax returns missing

☐ State - years

☐ Federal - years

Pending/Items/ Documents:

☐ DSO Recipient's Information

☐ Evidence of being current with DSO

☐ Evidence of income

☐ Monthly reports for the months

☐ Public Liability Insurance

☐ Premises

☐ Vehicle(s):

☐ Licenses issued by:

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Trustee's objection to confirmation

☐ Objection to Confirmation

☐ Oral objection by creditor

ACP: 3

Household size: 1

No taxable income for years 2015-2018

FAILS LIQUIDATION VALUE TEST, §1325(a)(4):

a. Real property was disclosed in schedule A/B with a value of \$0.00 since debtor transferred her interest to former spouse in 2015 as part of the conjugal partnership.

It seems that as part of the liquidation of the conyugal partnership in 2015, debtor ceded her participation in the conyugal real property used as home to former spouse. In return, she received \$7,000.00 and a lot of land in Bo. Canaboncito.

Per evidence submitted, real property debtor transferred lot at Bo. Canaboncito, Caguas. Debtor received \$15,000.00 for the sale of the lot on January 2018.

SOFA, item #18 discloses the transfer made to Nomar Andre Torres Laboy (lot at Canaboncitos Ward, Caguas) on 1/16/2018; funds received \$15,000.

Her testimony at this 341, debtor avers that the lot of land was worth approximately \$95,000.00. She avers that she had an appraisal. She sold for said price since she states that she needed monies. From the \$15,000.00 of the sale she had to pay \$5,000.00 to CRIM.

Trustee is evaluation possible avoidance. Debtor is to provide the following:

Physical and postal address of Mr. Nomar Andre Torres Laboy.

Sales deed of real property of Bo. Canaboncito

Appraisal of of real property of Bo. Canaboncito

DOES NOT PROVIDE FOR SECURED CREDITOR, §1325(a)(5):

a. Plan has no provision for secured claim #1 by CRIM in the amount of \$508.02. (Collateral is for ppty. Located at Bo. Turabo, Caguas) Trustee notes that real property the one that was transferred to spouse.

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OTHER:

a. Creditor BPPR requets adequate protection.

NOTE:

***Debtor's vehicle is currently insured and maturity date is on 1/29/2021. After that date, debtor will pay insurance directly.

The following party(ies) object(s) confirmation:

s/Pedro R Medina

Trustee/Presiding Officer

Date: 08/20/2019

(Rev. 05/13)